

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE #2020-_____

**AN ORDINANCE
OF JASPER COUNTY COUNCIL**

To Amend Article 2, *Applications to Develop or Alter the Use of Land*, Section 2.2, *Application Procedures for Subdivision and Land Development Regulations*, and Section 2.8, *Major Subdivision*, of the Jasper County Land Development Regulations, to add in requirements for Conceptual Plan Review for major subdivisions.

WHEREAS, the Jasper County Land Development Regulations provides regulations for harmonious, orderly, and progressive development of land within Jasper County; and

WHEREAS, the Land Development Regulations adopted by the Jasper County Council shall apply to all new subdivisions located in all unincorporated areas of Jasper County; and

WHEREAS, Article 2 of the Jasper County Zoning Ordinance provides criteria for reviewing applications to develop or alter the use of land; and

WHEREAS, the Jasper County Planning Commission has recommended approval by County Council; and

WHEREAS, this matter is now before the Jasper County Council for determination;

NOW THEREFORE, BE IT ORDAINED, by the Jasper County Council duly assembled and by the authority of same:

1. Article 2.2, *Application Procedures for Subdivision and Land Development Projects*, of the Jasper County Land Development Regulations is hereby amended to read as follows:

2.2 Application Procedures for Subdivision and Land Development Projects

No building permits will be issued for any major subdivision without first obtaining subdivision approval from the Planning Commission.

The application process consists of three (3) phases as follows:

- A. Pre-Application Conference – Major Land Developments
Conceptual Plan Review – Major Subdivisions (See Section 2.8)
- B. Completeness
- C. Application Review

2. Article 2.8, *Major Subdivision*, of the Jasper County Land Development Regulations is hereby amended to read as follows:

2.8 Major Subdivision

A. Conceptual Plan Review

For the purpose of securing advice in the formative stages of major subdivision design, expediting applications, and reducing development costs, the applicant, may request Conceptual Plan Review prior to applying for Preliminary Review. The Jasper County Planning Commission shall act upon the Concept Plan application within sixty (60) days from the time it has been deemed complete unless an extension of time is granted by the applicant. The Concept Plan must be scaled and show the approximate proposed layout of streets, lots, buildings, open spaces, and other features in relation to existing conditions, along with the following information:

- A. Name of the proposed development
- B. North arrow
- C. A vicinity map including north arrow
- D. Boundaries of the tract and the portion of the tract to be subdivided
- E. Parcel number(s) of the lot(s) to be subdivided
- F. Adjacent property owners and tax map numbers
- G. Zoning classification of the tract and of adjacent properties
- H. Total acreage to be subdivided
- I. Estimated and proposed uses of the land within the subdivision and the existing uses of land adjoining it

- J. Existing and proposed road layout with approximate pavement and right-of-way width, lot layout and size of lots
- K. Existing easements
- L. Roads and lots of adjacent developed or platted properties
- M. Existing topographic conditions of the property
- N. Water courses, floodplains, & preserved areas

The Planning Commission may waive any information required by this section or require any additional information they deem necessary. Conceptual Plan approval does not authorize the applicant to do any site work, sell or otherwise transfer lots or parcels.

B. PRELIMINARY MAJOR SUBDIVISION PLAT APPROVAL

Applicants requesting approval of a proposed Major Subdivision as defined by this Ordinance shall submit to the DSR a Preliminary and Final Major Subdivision Application in accordance with the following procedures:

The applicant shall submit to the DSR four (4) copies of the Preliminary Plat, four (4) copies of land development plans, fees and all materials stipulated in the Preliminary Major Subdivision Application Checklist.

The DSR shall review the plans for completeness in accordance with the requirements of Section 2.4 of this Ordinance, and if deemed complete submit copies to all affected County agencies for review and comment.

The Planning Commission shall act upon the application within sixty (60) days from the time it has been deemed complete unless an extension of time is granted by the applicant.

If the Planning Commission approves the Preliminary Major Subdivision Application, the applicant shall submit four (4) final sets of construction plans for execution by the Planning Commission, one (1) copy of which shall be forwarded to the applicant.

Preliminary Major Subdivision Plat approval shall confer upon the applicant the following rights for one (1) year from the date of the approval, unless extended by the County to proceed under the supervision of the County, with the installation of site improvements.

Preliminary Major Subdivision Plat approval shall not authorize the applicant to sell or otherwise transfer lots or parcels within the platted subdivision.

No construction shall begin on the site until the Planning Commission Chairman has signed the construction plans and the developer has posted the appropriate performance bond(s), Letter-of-Credit, or other financial security acceptable to the County for the proposed site improvements along with the appropriate Inspection Fee.

C. FINAL SUBDIVISION PLAT APPROVAL

An applicant requesting Final Subdivision Plat approval must first satisfy all outstanding issues in conjunction with the Preliminary Subdivision approval. Four (4) sets of revised as-built plans, fees and all documentation as stipulated in the Final Major Subdivision Application Checklist shall be submitted to the DSR along with four (4) originals of the Final Subdivision Plat for execution by the County.

Final Subdivision Plat Approval shall be approved or denied by the Planning Commission within sixty (60) days after submission of a complete application to the DSR or within such further time as may be consented by the applicant.

An applicant requesting Final Plat approval shall submit to the DSR four (4) copies of the material specified in this Ordinance, which shall show all streets and utilities in exact location, identifying those portions already installed and, where approved by the DSR and/or Planning Commission, those to be installed and/or certified in the amount of improvement guarantees required to assure completion of those improvements not yet installed.

No subdivision or land development plat, portion, or phase thereof shall be accepted for filing by the Office of Clerk of Court until it has been signed by the Planning Commission Chairman. No such signature shall be affixed to the plat until the developer has completed all required improvements or has posted the appropriate performance bond(s), Letter-of-Credit, or other financial security acceptable to the County and a letter from the DSR has been issued. This plat, marked as "Final Plat with Security Bond", may be recorded in the Jasper County Court of Clerk's office upon the approval of the bond.

An applicant/developer who wishes to acquire building permits or sell lots before final plat approval may do so through bonding, an Irrevocable Letter-of-Credit and Agreement, or other financial security acceptable to the Planning Commission. The developer shall provide the County with an itemized estimate of the improvements in the subdivision (i.e. roads, water, sewer, etc.). If a portion of the improvements have been installed, the itemized estimate will be for the improvements from that point to completion of the Subdivision. Once the estimates have been approved by the County, the Developer then presents the County with a bond or other acceptable means for the total of the improvements plus twenty-five percent in a form acceptable to the County.

Final Plat approval shall confer upon the applicant the right to record the plat with the County Clerk of Court and to proceed with the sale and/or transfer of lots and parcels in accordance with the approved and recorded plat. An electronic copy of the plat shall be submitted in accordance with Section 4.13 of the Land Development Regulations.

3. This ordinance shall take effect upon approval by Council.

Mr. Henry Etheridge
Chairman

ATTEST:

Tisha Williams
Acting Clerk to Council

ORDINANCE 20- _____
First Reading: July 6, 2020
Second Reading: July 20, 2020
Public hearing: July 20, 2020
Adopted: August 3, 2020

Considered by the Jasper County Planning Commission at its meeting on

June 16, 2020.

Reviewed for form and draftsmanship by the Jasper County Attorney.

David L. Tedder

Date